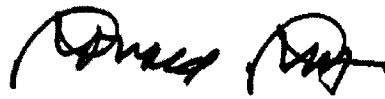


UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff and Counterdefendant Michael R. Danzi (“Danzi”), Defendant Highland Capital Management, L.P. (“Highland Management”), and Defendants and Counterclaimants Highland Crusader Offshore Partners, L.P. (“Highland Crusader”), Highland Credit Strategies Master Fund, L.P. (“Highland Credit Strategies”) and NexBank, SSB (“NexBank”) hereby STIPULATE that all claims and counterclaims in the above-styled lawsuit should be and hereby are DISMISSED WITH PREJUDICE. Each party shall bear its own costs and attorneys’ fees incurred in prosecuting and defending such claims herein.



DATED: November 7, 2009

By:

Ronald Rus
California Bar No. 67369
(Admitted *pro hac vice*)
rrus@rusmiliband.com
Joel S. Miliband
California Bar No. 77438
(Admitted *pro hac vice*)
jmiliband@rusmiliband.com

RUS, MILIBAND & SMITH
A Professional Corporation
Seventh Floor
2211 Michelson Drive
Irvine, California 92612
Telephone: (949) 752-7100
Facsimile: (949) 252-1514

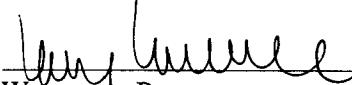
In association with:

D. Ronald Reneker
Texas State Bar No. 16770000
rreneker@munsch.com
MUNSCH HARDT KOPF & HARR, P.C.
3800 Lincoln Plaza
500 N. Akard Street
Dallas, Texas 75201-6659
Telephone: (214) 855-7564
Facsimile: (214) 978-4384

ATTORNEYS FOR PLAINTIFF AND
COUNTERDEFENDANT
MICHAEL R. DANZI

DATED: November 2, 2009

By:


Werner A. Powers

Texas State Bar No. 16218800

werner.powers@haynesboone.com

R. Thaddeus Behrens

State Bar No. 24029440

thad.behrens@haynesboone.com

Lacy M. Lawrence

Texas State Bar No. 24055913

lacy.lawrence@haynesboone.com

Scott M. Ewing

Texas State Bar No. 24065214

scott.ewing@haynesboone.com

HAYNES AND BOONE, LLP

2323 Victory Avenue, Suite 700

Dallas, Texas 75219

Telephone: (214) 651-5000

Facsimile: (214) 651-5940

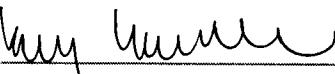
ATTORNEYS FOR DEFENDANTS AND
COUNTERCLAIMANTS

HIGHLAND CAPITAL MANAGEMENT,
L.P., HIGHLAND CRUSADER
OFFSHORE PARTNERS, L.P.,
HIGHLAND CREDIT STRATEGIES, L.P.,
AND NEXBANK, SSB

CERTIFICATE OF SERVICE

I hereby certify that all attorneys deemed to accept service of the above-referenced document electronically will be notified via the Court's CM/ECF system on the 3rd day of November, 2009.

By:


Werner A. Powers